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OFFICE OF PETITIONS

In re Application of
Edward Jobson, et al.
Application No. 10/065,624
Filed: November 4, 2002
Attorney Docket No. 0173.019.PCUS00

ON PETITION

This is a decision in response to the petition, filed October 9, 2007, to revive the above-identified application under the provisions of 37 CFR 1.137(b).

The petition is **GRANTED**.


The application became abandoned for a failure to reply in a timely manner to a non-final Office action mailed October 11, 2006. A Notice of Abandonment was mailed on May 3, 2007. In response, on October 9, 2007, the present petition was filed.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of an amendment; (2) the petition fee of \$1,540; and (3) an adequate statement of unintentional delay.

It is noted that the petition included an improper Request for Continued Examination (RCE) under 37 CFR 1.114. The filing of a RCE is not permissible unless prosecution in the application is closed. Accordingly, the improper RCE will not be accepted and the RCE filing fee will be credited to counsel's deposit account.

The application is being referred to Technology Center AU 3748 for consideration of the amendment filed October 9, 2007.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3204. Inquiries relating to further prosecution should be directed to the Technology Center.


Sherry D. Brinkley
Petitions Examiner
Office of Petitions